

### Examiner's Response to Arguments

Examiner states that the third line (10b) of Takeda **does in fact** extend across the silhouette as shown in Figure 5. In particular, Examiner stated that Takeda's third line falls in a different plane than the Applicant's third line.

In this regard Agent for Applicant respectfully states that the claims have been amended as in claim 22 to indicate that the safety line is connected to lie substantially in the same plane as the silhouette.

Moreover Examiner stated that the third line does connect to the first and second lines in order to maintain continuity between all three lines if one of the first or second lines becomes unattached from the holes. Examiner further stated that mere rearrangement of the third line to connect to a particular end of the first or second lines is considered to be obvious in one having ordinary skill in the art.

In this regard Agent for Applicant respectfully traverses Examiner's comments in this regard. More particularly Examiner stated that in regard to claim 12 Takeda fails to show a **third line** connected to the **first and second swivels**. In particular Examiner stated that the third line 10B disclosed by Takeda is connected to the lines **6 above and below the swivels**. Examiner then states "however, it would have been obvious to one having ordinary skill in the art at the time of the invention to relocate the third line since it would have been held that rearranging part of the invention involves only routine skill in the art.

Applicant respectfully states that the claims have been amended to specifically show:

1. that the third or safety line is connected to the first and second clips and therefore **rotates relative** the first and second lines.

---

Takeda teaches that the third line is connected to the lines 6 above and below the swivels. This is precisely what Applicant intends to avoid namely:

the swivel 20 is characterized in that the swivel includes hole attaching means 22 which in the arrangement shown in Figure 3 comprises of a releasable clip 22 shown in the open position in Figure 4. The clip 22 is adapted to be inserted into the holes 6 and then manipulated so as to be displaced in the locking position as shown in Figure 3. In this way the swivel is secured to the hole as shown in Figures 1 and 2. The swivel also includes **rotatable means** 24 which freely permits the rotatable means 24 to rotate in a direction A. without tangling the line 10 relative to the hole 6 (see page 7, lines 23-27).

...the safety line 10c is **attached to the clip 22**...

If the safety line 10c were **attached above** the swivels has taught by Takeda, or for that matter if the safety lines 10c were attached to the swivels rather than the clips such arrangement would tend to exasperate the problem which Applicant is avoiding namely:

preventing the silhouette from tangling as it rotates above the lines

In other words Takeda does not teach a safety line which freely rotates relative to the first and second lines has taught by Applicant. Rather Takeda teaches that the safety line is connected to the first and second lines and therefore moves in tandem which such lines creating the possibility that the silhouette may be entangled therein. Applicant on the other hand avoids such possibility by connecting the ends of the safety line to the clips rather than the swivels.

### **35 U.S.C. § 103**

Examiner rejected claims 1-2 and 5-10 as being unpatentable over Takeda in view of Chase.

~~In this regard Agent for Applicant respectfully states that neither Takeda or Chase~~  
teach:

1. the third or safety line has one end which is rotatably attached to the one end of the first line for **rotation** of the third line relative the first line;
2. the third or safety line has another end rotatably attached to one end of the second line for **rotation** of the third line **relative** to the second line;
3. the swivels have a first hole attaching means (clip) and rotatable means;
4. the safety line has one end connected to the first hole attachment means (clip) and another end connected to the second hole attaching means (second clip);
5. the safety line is connected to lie substantially in the same plane as the silhouette.

Furthermore Examiner rejected claims 11-12 as being unpatentable over Takeda in view of Chase and further in view of Kaleta.

In this regard Agent for Applicant respectfully states that none of said prior art teaches:

1. the third or safety line has one end which is rotatably attached to the one end of the first line for **rotation** of the third line relative the first line;
2. the third or safety line has another end rotatably attached to one end of the second line for **rotation** of the third line **relative** to the second line;
3. the swivels have a first hole attaching means (clip) and rotatable means;
4. the safety line has one end connected to the first hole attachment means (clip) and another end connected to the second hole attaching means (second clip);
5. the safety line is connected to lie substantially in the same plane as the silhouette.

Furthermore Agent for Applicant respectfully states that none of the prior art cited by the Examiner teaches:

1. the third or safety line has one end which is rotatably attached to the one end of the first line for **rotation** of the third line relative the first line;
2. the third or safety line has another end rotatably attached to one end of the second line for **rotation** of the third line **relative** to the second line;
3. the swivels have a first hole attaching means (clip) and rotatable means;
4. the safety line has one end connected to the first hole attachment means (clip) and another end connected to the second hole attaching means (second clip);
5. the safety line is connected to lie substantially in the same plane as the silhouette.

More particularly the invention as disclosed by the inventor and claimed in the amended claims permits the free rotation of the safety line relative to the first and second lines thereby minimizing rotational tension buildup between the safety line and the first and second lines which thereby minimizes the chances of the silhouette being entangled as it rotates about the first and second lines. The prior art, however, teaches that the safety line rotates **with** the first and second lines of Takeda since the safety lines is connected above the swivels. There is no teaching in Takeda which directs a user to the solution disclosed by Applicant.

Furthermore Applicant teaches the use of a safety line lying substantially in the same plane as the silhouette which further minimizes the possibility of the silhouette being entangled about the safety line which is possible in the case of Takeda.

---

#### Deposit Account

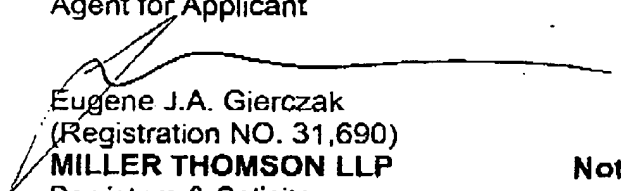
Agent for Applicant hereby authorizes the Commissioner to deduct the fee for a one month extension of time US\$55.00 from **deposit account** 502385.

**Conclusions**

Agent for Applicant respectfully states that the application is now in condition for immediate allowance and respectfully solicits same.

Yours faithfully,

Agent for Applicant

  
Eugene J.A. Gierczak  
(Registration NO. 31,690)  
**MILLER THOMSON LLP**  
Barristers & Solicitors  
20 Queen Street West, Suite 2500  
Toronto, Ontario Canada M5H 3S1  
Telephone No. 416.596.2132  
Telecopier No. 416.595.8695  
EJAG\*d - encls.

**Note New Mailing Address**

cc: Mr. Michael Givlin

Hj\gaeuge-1\givlin\preyus\response 2